

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of Patrick C. Kung, *et al.*

Confirmation No.: 9303

Serial No.: 09/830,033

Group Art Unit: 1631

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Examiner: Michael L. Borin

For: PHYTOMICS: A GENOMIC-BASED APPROACH TO HERBAL  
COMPOSITIONS

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U.S. Patent and Trademark Office  
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**AMENDMENT AND RESPONSE**

This paper responds to the non-final Office Action dated December 30, 2008, for which the period of response extends through April 30, 2009 with a one-month extension of time. This response is thus timely filed.

**Listing of the Claims** begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.